

REMARKS

In the present response, Applicant amends claims 1, 6-7, 15, and 23, and cancels claims 3, 8-14, 16-22 and 24 without prejudice. Applicant submits that the amendments to independent claims 1 and 23 are provided in accordance with the Examiner's statements regarding allowable subject matter in "objected to" claims 14-15 and 24. The amendments in dependent claims 6-7 and 15 provide for continuity in claim number dependency in view of the amendments to claims 1 and 23, and the cancellation of intervening claims. Applicant respectfully requests examination and consideration of pending claims 1-2, 4-7, 15, 23 and 25-37.

For purposes of expediting issuance of the present application, Applicant is making claim amendments that the Examiner has stated will render the remaining claims allowable. Applicant respectfully disagrees with the Examiner's rejections and reserves the right to assert the same claims or claims of similar or different scope in a continuation application.

I. Rejection of Claims 1-4, 8-9, 19-21, 23, 25-26 Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1-4, 8-9, 19-21, 23 and 25-26 under 35 U.S.C. § 102(b) as being anticipated by Linehan (U.S. 5,495,533). Applicant respectfully disagrees.

Applicant has amended claim 1 to incorporate allowable subject matter from claim 14 and intervening claims, and amended claim 23 to incorporate allowable subject matter from claim 24. Applicant has canceled claims 3, 8-9, and 19-21 without prejudice. In view of the present amendments, Applicant submits that independent claims 1 and 23 are in condition for allowance. Further, claims 2, 4, and 25-26, being dependent upon allowable base claims, are also allowable for at least the same reasons.

II. Rejection of Claims 16-18 Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 16-18 under 35 U.S.C. § 103(a) as being unpatentable over Linehan (5,495,533) in view of Holloway (6,424,718). Applicant respectfully disagrees. However, in the interest of expediting allowance of this case, Applicant cancels claims 16-18 without prejudice.

III. Rejection of Claims 5-7, 10-13, 27 and 30-31 Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 5-7, 10-13, 27 and 30-31 under 35 U.S.C. § 103(a) as being unpatentable over Linehan (5,495,533) in view of Yatsukawa (6,148,404). Applicant respectfully disagrees. Dependent claims 5-7, 27 and 30-31, being dependent upon respective allowable base claims 1, 23 and 28, are also allowable for at least the same reasons as applied to those base claims. Claims 10-13 are canceled without prejudice.

IV. Conclusion

The present amendments are made in accordance with the Examiner's statements regarding allowable subject matter. Applicant therefore submits that pending claims 1-2, 4-7, 15, 23 and 25-37 are in condition for allowance.

Very truly yours,

THE HECKER LAW GROUP, PLC

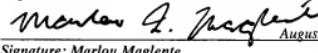
Date: August 23, 2004

  
Todd N. Snyder  
Reg. No. 41,320

THE HECKER LAW GROUP, PLC  
1925 Century Park East  
Suite 2300  
Los Angeles, California 90067  
(310) 286-0377

**CERTIFICATE OF MAILING**

*This is to certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on August 23, 2004.*

  
Signature: Marlou Maglente      Date: August 23, 2004